

REMARKS

Applicant has now considered all aspects of the above-identified Office Action and in consideration therein has made extensive changes in the present application in order to rectify all the issues raised by the Examiner.

Initially it is to be noted that Applicant is submitting herewith two Terminal Disclaimers to remove the Examiner's objection to obviousness type double patenting over the claims of commonly owned U.S. Patent No. 5,624,491 or U.S. Patent No. 5,772,752.

Turning next to the Examiner's objections to the claims it will be found that Applicant has now amended the claims to remove the Examiner's objections under 35 U.S.C. §112 which specifically were focused upon claims 15, 29, 39 and 54. As amended it is believed that all such objections are now removed and the Examiner's approval is requested.

With respect next to the drawings, applicant believes it has remedied all objections to these drawings by providing for approval a new set of formal drawings which conform to the earlier set, except that it will be found in the instance of Figures 13 through 23 that the tabularized matter which has been objected to as in part illegible has all been removed from beneath the graphical showings. In reviewing the application it became apparent that in each and every instance the tabularized data for each graphical figure in Figures 13 through 23 was duplicated at corresponding points in the specification, *i.e.*, the same data was presented in the specification following the discussion of each specific graphical representation. Thus the legible portions of Figures 13 through 23 could be and now have been removed. To clarify this further, copies of the original drawings are enclosed in which the deleted materials has been carefully marked.

Since it was noted that one small portion of each of the deleted tabularizations (from Figures 13-23) relating to flow rates and ultrasonic power etc. in the apparatus used was not

however included in the specification, a brief amending sentence has been added at page 46 to include the corresponding statement and render it applicable to each of the revised Figures.

Finally, Applicant is submitting an improved copy of reference AX for the Examiner's approval. While portions of this further copy are somewhat light it is believed that the Examiner will be able to read all of the document.

It is submitted in view of the changes introduced by the present amendment, and of the attachments, that all objections to patentability have now been removed. Accordingly it is requested that favorable action now be provided by the Examiner together with an early notice of allowance.

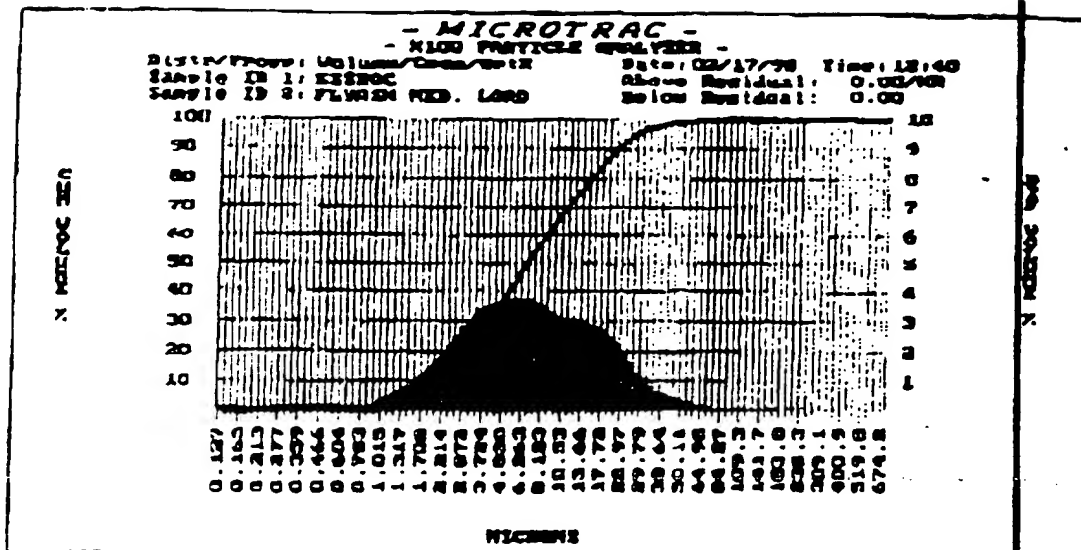
Respectfully submitted,



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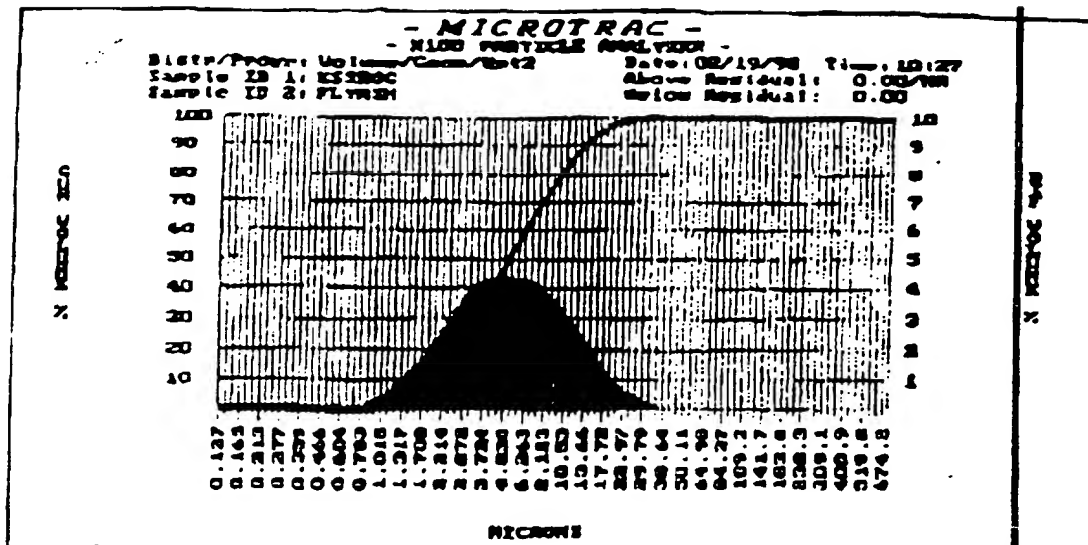
Dated: 11/18/03

MICROTRAC 2100 PARTICLE ANALYSIS			
Percent Fractions Data			
Version 6.01			
FILED FILED FILED		ASTR Parameters Flow Rate: 15 ml/sec Ultrasonic Sensor: 10 Watts Ultrasonic Time: 100 seconds	
Head/Type 0: 1.000 Param 01: 1.000		Param 02: 1.000 Loc Code: 0010 Accuracy: 1/10°ES	
TD 01: 00000 Distrib. Format: Volume Filter: On Run Time: 60 seconds Run Number: 001 Transmission: 1.000 Laser Int: 1.000/1.000 Refractive: Disabled Above Critical: 1.00 Below Critical: 1.00		Summary Data Rate: 1.000 Max. Transmission: 1.000 Flow Channel: 100 Port Channel: 100 Number of Channels: 100 Fluid Refractive Index: 1.33 Particle Transparency: Transp Spherical Particles: No Art. Refractive Index: 1.01	



- MICROTRAC 1100 PARTICLE ANALYZER - Percent Passing Data Version 6.01			
SYSTEM PARAMETERS Model: 1100 Serial: 1100-1100-1100		ANAL Parameters Flow Rate: 15 ml/min Ultrasonic Power: 10 watts Ultrasonic Time: 100 seconds	
Meas/Expn #: 1 Param 11: 0.000	Param 12: 0.000 Param 13: 0.000	Lot code: 00000000000000000000 Account: Part 05	
Id 01: MICRO Output Format: Volume Filter: ON Run Time: 60 seconds Run Number: Avg of 1 runs Transmitted: Laser Int: 1.000 Residuals: Disabled Above Residual: 1.00 Below Residual: 1.00		Summary Data 01 = 1.000 02 = 1.000 03 = 1.000 04 = 1.000 05 = 1.000 06 = 1.000 07 = 1.000 08 = 1.000 09 = 1.000 10 = 1.000	Id 02: 1100 WED LOAD Run: 1100/1100 time: 11:00 Laser: 1100/1100 Laser Int: 1.000 Laser Power: 1.000 Laser Chosen: 1.000 Number of Channels: 100 Fluid Inertness Index: 1.11 Particle Transparency: Transp Spherical Particles: No Part. Attraction Index: 1.01

Figure 14



- MICROTRAC HIGH PARTICLE ANALYSIS - Percent Passing Data Version 6.01			
DISTRIBUTION OF PARTICLES		LIVE Parameters	
Sample ID: ES380C		Flow Rate: 15 ml/sec	
Sample ID: FL782H		Transonic Power: 10 watts	
Mean/Para 1: 0.000		Transonic Time: 100 seconds	
Para 1: 0.000		Lot code: ES380 1000W 1/100	
Para 2: 0.000		Account: HST-111	
Id 01: ES380C		Id 02: FL782H	
Distrib. Format: Volume		Date: 02/19/98 Time: 10:27	
Filter: 00		Chan. Progression: Conc/Sec2	
Run Time: 60 seconds		Power Channel: 10	
Run Number: 001		Power Channel: 10	
Transmission: 1		Number of Channels: 10	
Lower Int: 1.000/1.000		Laser Refractive Index: 1.33	
Residuals: 0.00		Particle Transparency: Transp	
Above Residual: 0.00		Spherical Particles: No	
Below Residual: 0.00		Art. Refractive Index: 1.01	
Summary Data			
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100	100	100	100

Figure 20

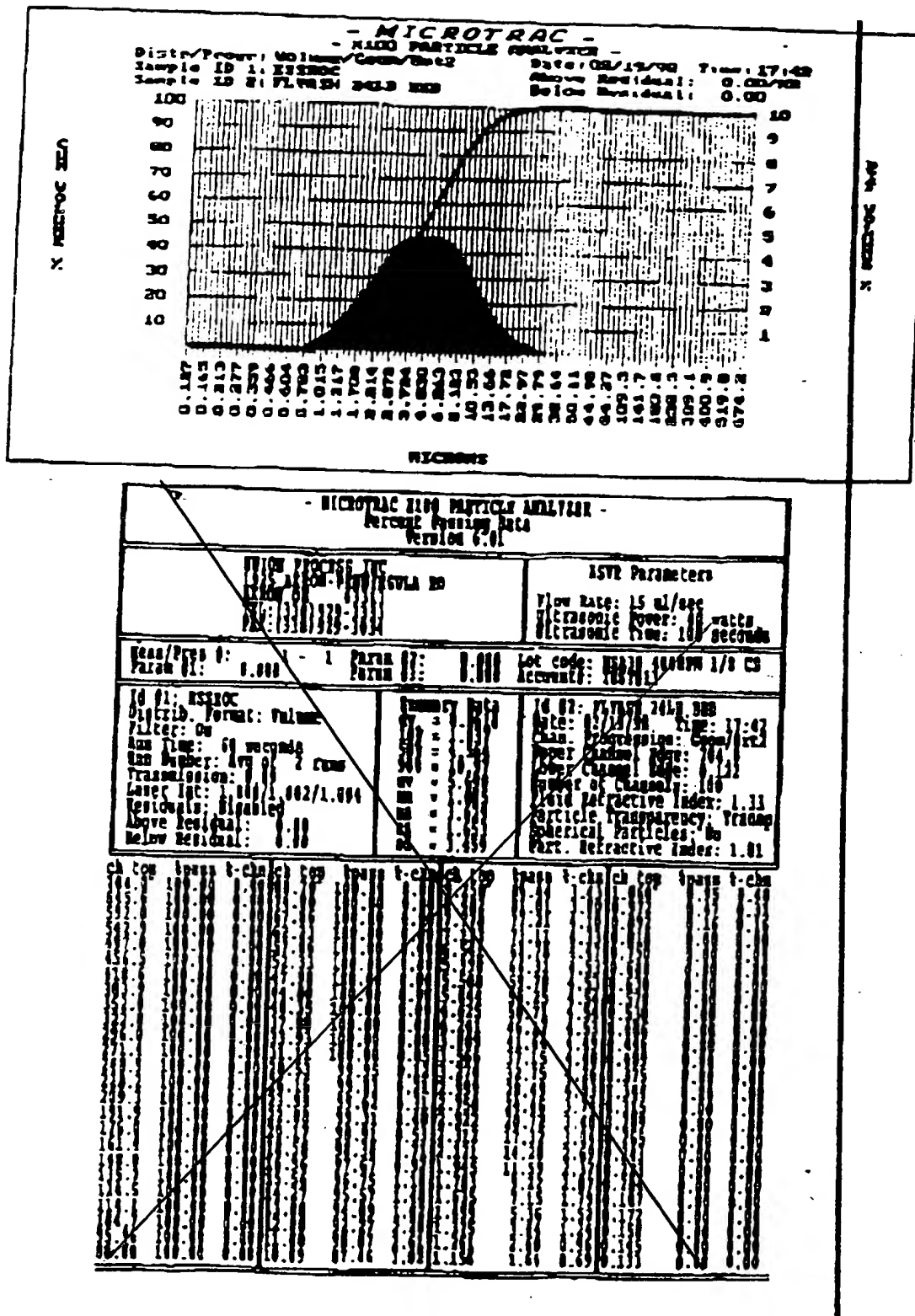
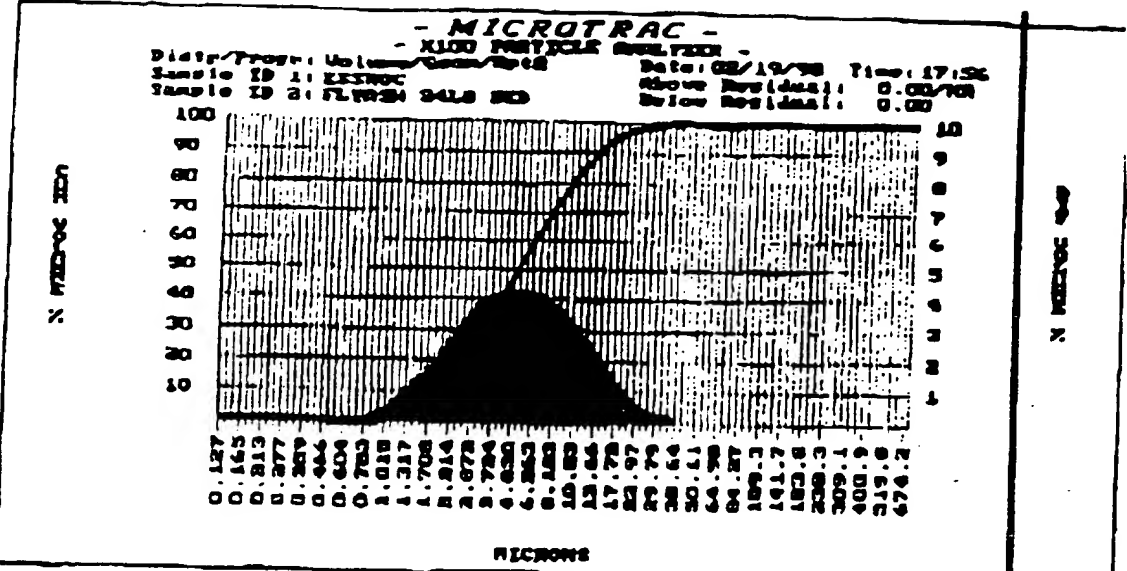


Figure 22

715-1-060 CIP
SERIAL NO.: 09/234,810
GROUP ART UNIT: 1755



- MICROTRAC XL100 PARTICLES ANALYZER - Percent Frequency Data Version 6.01			
Sample ID: 09234810		ASVR Parameters	
Flow Rate: 15 ml/sec		Ultrasonic Power: 70 watts	
Ultrasonic Time: 100 seconds		Lot code: 000000 1/0 CS	
Head/View 8:	Param 12:	Param 13:	Account: 1755
Id #1: KESTROC	Summary Data	Id #2: FLUOR 24LS HD	
Distrib. Formac: Volume		Date: 02/19/98	Time: 17:56
Filter: 00		Dist. Correction: 0.00/100	
Run Time: 60 seconds		Type: Sample	Spec: 70
Run Number: 000		Over Channel: 100	
Transmission: 1.00		Number of Channels: 100	
Accur. Int: 1.00/2.002/1.000		Liquid Refractive Index: 1.33	
Residuals: Disabled		Particle Transparency: Transp	
Above Residual: 0.00		Spherical Particles: 00	
Below Residual: 0.00		Part. Refractive Index: 1.81	

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Figure 23

715-1-060 CIP
SERIAL NO.: 09/234,810
GROUP ART UNIT: 1755